

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF WEST VIRGINIA  
CHARLESTON DIVISION

JAMES A. MORRIS,

Plaintiff,

v.

Civil Action No. 2:07-0783

MICHAEL J. ASTRUE,

Commissioner of Social Security,

Defendant.

MEMORANDUM OPINION AND ORDER

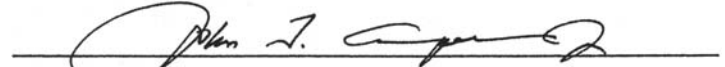
Pending are the parties' briefs seeking judgment on the pleadings. The court having received the Proposed Findings and Recommendation of United States Magistrate Judge Mary E. Stanley, entered on February 23, 2009; and the magistrate judge having recommended that the court affirm the final decision of the Commissioner and dismiss this matter from the court's docket; and no objection having been filed to the Proposed Findings and Recommendation, it is ORDERED that:

1. The findings made in the Proposed Findings and Recommendation of the magistrate judge be, and they hereby are, adopted by the court and incorporated herein;

2. The decision of the Commissioner be, and it hereby is, affirmed and this action is dismissed and stricken from the docket.

The Clerk is directed to forward copies of this written opinion and order to all counsel of record and the United States Magistrate Judge.

DATED: March 19, 2009

  
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John T. Copenhaver, Jr.  
United States District Judge